



State of New Jersey

OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF STATE POLICE
POST OFFICE BOX 7068
WEST TRENTON NJ 08628-0068
(609) 882-2000

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

PAULA T. DOW
Attorney General

COLONEL JOSEPH R. FUENTES
Superintendent

July 01, 2010

John R. Drake Jr.

Dear Mr. Drake:

Your application for a handgun carrying permit has been disapproved by the Superintendent of State Police. The denial was based on your failure to demonstrate a justifiable need for the issuance of a permit to carry a handgun as required pursuant to N.J.S. 2C:58-4c and consistent with New Jersey case laws. You failed to establish that an urgent necessity for self protection as evidenced by prior specific threats or previous attacks demonstrating a special danger to your life exists that cannot be avoided by any other means other than the issuance of a permit to carry a handgun. New Jersey Courts have consistently determined that generalized fears for personal safety alone are inadequate and insufficient in establishing justifiable need.

A review of your initial application with letter of need indicate that you are the sole proprietor for an ATM servicing company, Overcoat LLC. Functions of your business include installing ATM machines, repairing ATM machines, as well as loading and stocking cash into the machines. On May 18, 2010, correspondence was sent to you requesting further details as to your need for a permit to carry a handgun. On June 08, 2010, this office received your correspondence and reviewed same. In your letter you indicate that your need is not the same as a private citizen, but that of armored car employees and private security employees. You further indicate that as such, you become subject to substantial threat of serious bodily harm while performing your duties. In reviewing your response, no information was provided to detail the urgent necessity for self protection as evidenced by prior specific threats or previous attacks demonstrating a special danger to your life. Subsequently, your request for a permit to carry a handgun has been denied.

Pursuant to N.J.S. 2C:58-4e, any person aggrieved by the denial for a permit to carry a handgun may request a hearing in the Superior Court of the county in which he resides if he is a resident of New Jersey or the county he intends to carry, if he is a nonresident. The request for a hearing





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shall be made in writing within 30 days of the denial of the application for a permit to carry a handgun. The applicant shall serve copies of the request upon the Superintendent, the county prosecutor, and the chief police officer of the municipality where the applicant resides, if the applicant resides in New Jersey.

If you have any further questions, please contact Detective I Glenn Ross, Firearms Investigation Unit at 609-882-2000 ext. 6612.

Sincerely,

FOR COLONEL JOSEPH R. FUENTES
SUPERINTENDENT

Lt. David B. Schlueter 3577

David B. Schlueter, Lieutenant
Unit Supervisor
Firearms Investigation Unit

DBS:ger

